

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Anderson	Team: Squad #11	CCRB Case #: 201805712	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 07/13/2018 8:00 PM	Location of Incident: 63rd Precinct stationhouse	Precinct: 63	18 Mo. SOL 1/13/2020	EO SOL 1/13/2020	
Date/Time CV Reported Fri, 07/13/2018 9:39 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Fri, 07/13/2018 9:39 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Triston Trunk	16858	958131	063 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Christophe Romero	00083	947946	063 PCT
2. POM Paul Alva	11022	963372	063 PCT
3. POM Ilan Marhasin	18466	958873	063 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Triston Trunk	Discourtesy: Police Officer Triston Trunk spoke discourteously to § 87(2)(b)	
B.POM Triston Trunk	Force: Police Officer Triston Trunk used physical force against § 87(2)(b)	
C.POM Triston Trunk	Discourtesy: Police Officer Triston Trunk acted discourteously toward § 87(2)(b)	

Case Summary

On July 13, 2018, § 87(2)(b) called the CCRB and filed this complaint via the Call Processing System. He also filed a complaint at the 63rd Precinct stationhouse, which was subsequently received at the CCRB as an IAB referral on July 24, 2018.

On July 13, 2018, at approximately 8:00 p.m., § 87(2)(b) went to the 63rd Precinct stationhouse intending to retrieve his vehicle, which had been seized pursuant to his arrest the prior day. § 87(2)(b) spoke to PAA § 87(2)(b) and, while doing so, saw PO Triston Trunk of the 63rd Precinct, his arresting officer the day prior, enter the stationhouse. § 87(2)(b) drew PAA § 87(2)(b)'s attention to PO Trunk. PO Trunk used profanity towards § 87(2)(b) (Allegation A- Discourtesy: Word, § 87(2)(g)) and pushed him against a door (Allegation B- Force: Physical force, § 87(2)(g)).

Sgt. Christopher Romero, PO Ilan Marhasin, and PO Paul Alva, all from the 63rd Precinct, walked into the stationhouse vestibule, where PO Trunk pushed § 87(2)(b) towards the stationhouse entry doors (within Allegation A). PO Trunk threw § 87(2)(b)'s identification card, which landed on the nearby stairs, towards him (Allegation C- Discourtesy: Action, § 87(2)(g)). § 87(2)(b) filed a complaint against PO Trunk with Sgt. Romero and exited the stationhouse. § 87(2)(b) sustained wrist pain, for which he did not receive treatment, as a result of the incident.

§ 87(2)(b) was not arrested or issued a summons as a result of this incident.

Video footage received in this case was recorded and provided by § 87(2)(b) recorded by stationhouse surveillance cameras and provided by the NYPD, and recorded by PO Marhasin and PO Alva on their Body-Worn Cameras (BWCs) and provided by the NYPD. The original footage is attached to IA numbers 14, 15, 16, 23, 46, and 47, respectively.

Findings and Recommendations

Allegation (A)- Discourtesy: Police Officer Triston Trunk spoke discourteously to § 87(2)(b)

Allegation (B)- Discourtesy: Police Officer Triston Trunk used physical force against § 87(2)(b)

Allegation (C)- Discourtesy: Police Officer Triston Trunk acted discourteously toward § 87(2)(b)

§ 87(2)(b) stated (Board Review 01) that PO Trunk entered the stationhouse vestibule and, after § 87(2)(b) directed PAA § 87(2)(b)'s attention to him while using an “angry” tone, PO Trunk asked § 87(2)(b) who he was talking to, to which § 87(2)(b) replied, “I’m talking to you, punk.” PO Trunk, using both hands, grabbed hold of § 87(2)(b)'s left wrist and the chest level of his shirt and, extending his arms, pushed him backwards. § 87(2)(b) pulled his arm away from PO Trunk and did nothing else. § 87(2)(b)'s back struck closed doors behind him, and PO Trunk pushed him backwards two more times. Sgt. Romero, PO Marhasin, and PO Alva entered the vestibule.

PO Trunk pulled § 87(2)(b) towards him, moved him towards the stationhouse entry doors, and pushed him towards them. PO Trunk retrieved § 87(2)(b)'s identification card, flicked his wrist, and “flung” it towards him while repeating his statement about being his “fucking daddy.”

PAA § 87(2)(b) stated (Board Review 02) that she was seated at the window of the civilian waiting room area (vestibule) of the stationhouse while speaking with § 87(2)(b) and could hear what occurred in this area from that location. When PO Trunk entered the stationhouse, § 87(2)(b) said, “There goes the pussy who arrested me last night.” PO Trunk replied, “Who do you think you’re talking to?” and § 87(2)(b) said, “I’m talking to you, pussy.” § 87(2)(b) moved towards PO Trunk until their faces were inches from each other. § 87(2)(b) did not raise his hands. PO Trunk said, “What, pussy?” and pushed § 87(2)(b) backwards, causing him to strike a door. PAA § 87(2)(b) informed Sgt. Romero about what occurred and the stationhouse and did not see further interactions between PO Trunk and § 87(2)(b).

PO Trunk stated (Board Review 03) that when he entered the stationhouse, § 87(2)(b) pointed at him, yelled, “That’s the pussy that locked me up” and told him that he wanted to fight him. PO Trunk did not ask § 87(2)(b) “Who do you think you’re talking to?” PO Trunk, intending to enter the double doors behind § 87(2)(b) and leading to the stationhouse interior, walked towards § 87(2)(b). § 87(2)(b) walked approximately three to four feet towards PO Trunk until their faces were immediately next to each other. § 87(2)(b) yelled, pointed at PO Trunk, moved his hands, and did not otherwise move his body. § 87(2)(b)’s nose “brushed” PO Trunk’s face. PO Trunk denied asking § 87(2)(b) “Don’t you know I’m your fucking daddy?” or using any profanity while speaking to him.

After approximately two seconds, PO Trunk told § 87(2)(b) to “get out of [his] face” used two open palms to push his body away from him. PO Trunk pushed § 87(2)(b) in order to protect himself by moving § 87(2)(b) away from him and preventing him from coming any closer to him. Approximately five seconds later, Sgt. Romero, PO Marhasin, and PO Alva entered the vestibule. PO Trunk “guided” § 87(2)(b) out of the stationhouse by placing the open palm of one extended arm against his body and “leading” him in the direction of the exit. PO Trunk denied pushing § 87(2)(b) during this process and did not recall pushing him more than once in the incident.

PO Trunk initially denied handling § 87(2)(b)’s identification card whatsoever and, when informed of the specific allegation of having “flicked” or “flung” the card towards § 87(2)(b), § 87(2)(b) denied recalling such an event.

Sgt. Romero (Board Review 04), PO Marhasin (Board Review 05), and PO Alva (Board Review 06) all denied witnessing PO Trunk’s initial push against § 87(2)(b). They did not hear PO Trunk use any profanity during the incident. Sgt. Romero stated that PO Trunk returned § 87(2)(b)’s identification card to him in a “flick” motion and that the card fell to the ground after § 87(2)(b) “fumbled” it.

A clip of the stationhouse footage, which does not contain audio and is embedded below (left), depicts Allegations B and C at the 00m15s and 00m55s marks, respectively. BWC footage recorded by PO Alva, embedded below (right), is four seconds in length and captures a closer view of Allegation C.

PO Trunk, wearing a grey shirt and khaki shorts, enters the stationhouse through two open doors. § 87(2)(b) the only other individual in the vestibule, gestures towards PO Trunk. As § 87(2)(b) sways back and forth, moving approximately one half pace in each direction, PO Trunk gradually walks towards him, apparently speaking. PO Trunk continues to walk towards § 87(2)(b) until they are approximately one foot apart and both nearly stationary. PO Trunk and § 87(2)(b) tilt their heads to the side and face each other, with their faces less than apparently three inches apart. During this time, § 87(2)(b) and PO Trunk apparently speak

§ 87(2)(g)
[Redacted text block]

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 09).
- PO Trunk has been a member-of-service for three years and has been a subject in four CCRB complaints and ten allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of December 4, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 10).
- § 87(2)(b), § 87(2)(c) (impair contract awards or CBAs)

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date